

PARADISE CREEK EDUCATIONAL PARK

COASTAL CONSERVANCY

Staff Recommendation

June 16, 2005

**PROPOSITION 50 NATURE SCIENCE CENTERS:
PARADISE CREEK EDUCATIONAL PARK
IMPLEMENTATION**

File No. 04-050

Project Manager: Deborah Ruddock

RECOMMENDED ACTION: Authorization to disburse up to \$500,000 to the City of National City to complete the Paradise Creek Educational Park project, including construction of an outdoor learning lab, boardwalk and creek-side trail and riparian wetland enhancement, including limited contaminated soil removal for associated portions of the project site to implement the Paradise Creek Enhancement Plan, approved by the Conservancy on June 25, 2001.

LOCATION: West side of Paradise Creek, City of National City, San Diego County (Exhibit 1)

PROGRAM CATEGORY: Coastal Resource Enhancement

EXHIBITS

Exhibit 1: Project Location and Site Map

Exhibit 2: June 25, 2001 Staff Recommendation

Exhibit 3: Creek Photo

Exhibit 4: Concept Plan Illustration

Exhibit 5: Letters of Support

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31251-31270 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed five hundred thousand dollars (\$500,000) to the City of National City (the “City”) to complete the Paradise Creek Educational Park project, including construction of an outdoor learning lab, boardwalk and creek-side trail and riparian wetland enhancement, with limited contaminated soil removal for associated portions of the project site to

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implement the Paradise Creek Enhancement Plan, approved by the Conservancy on June 25, 2001. This authorization is subject to the following conditions:

1. Prior to the disbursement of any funds, the City shall submit for the review and approval of the Executive Officer of the Conservancy a work program, including scope of work, written budget and schedule; a sign program; and the names of any contractors it intends to use to conduct the project.
2. The City shall erect and maintain a sign which acknowledges the Conservancy's funding assistance on the project."

Staff further recommends that the Conservancy adopt the following findings:

"Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed authorization is consistent with Public Resources Code Sections 31251-31270, regarding the Conservancy's mandate to protect and enhance natural resources.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001."

PROJECT SUMMARY:

Staff is recommending that the Conservancy provide a grant of \$500,000 to the City of National City to complete the Paradise Creek Educational Park project, including construction of an outdoor learning lab, boardwalk and creek-side trail and riparian wetland enhancement, including limited contaminated soil removal for associated portions of the project site to implement the Paradise Creek Enhancement Plan, approved by the Conservancy on June 25, 2001. This project would be the third City project funded by the Conservancy; the former two projects were preparation of the Paradise Creek Enhancement Plan in 1999 and the approval of and funding for implementation of the Paradise Creek Enhancement Plan in 2001.

The anticipated source of funding is an appropriation to the Conservancy pursuant to Section 79571 (b) of the "Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002" (Division 26.5 of the Public Resources Code, Proposition 50). Section 79571 of Chapter 10 (Coastal Watershed and Wetland Protection) directs that 10% of the Proposition 50 funds allocated to the Conservancy for coastal watershed protection be used "for the acquisition and development of facilities to promote public access to and participation in the conservation of land, water, and wildlife resources". Subsection (b) identifies eligible projects as "[n]ature centers that are in or adjacent to watersheds and wetlands identified for protection...that provide viewing, outdoor experiences, and conservation education programs to the public and students...[with] priority to projects that are operated by or in cooperation with nonprofit organizations and are designed to serve children from urban areas that lack access to natural areas of outdoor programs."

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The Paradise Creek project is a nature center that will serve students, residents and visitors in heavily urbanized National City, a diverse community of 54,260 persons located south and east of San Diego, north of Chula Vista and west of San Diego Bay (Exhibit 1). The project will enhance existing nature study and creek stewardship activities by constructing an outdoor learning lab featuring a partially covered amphitheater, raised connecting boardwalk and a decomposed granite creek-side trail. In addition, this project will complement the restoration project approved by the Conservancy in 2001, which involves the restoration of approximately 0.07 acres of southern coastal salt marsh habitat along the creek, a small remnant of the historic inland extent of Paradise Marsh; creation of another 0.06 acres of wetland; and planting of native vegetation (See Exhibit 2 for more details.).

For more than a decade, this stretch of Paradise Creek, degraded by urban land uses, has been the focus of energetic nature education and community stewardship led by teacher Margaret Godshalk and her husband Ted, a City planning commissioner (Exhibit 3). Their activities, including extensive outreach through their non-profit organization Paradise Creek Educational Park, Inc., have drawn the frequent attention of local and statewide media and have won them champions among local elected officials, state legislators, environmental groups, and grant making organizations (See Exhibit 5, Letters of Support). To date, their collaborative efforts have resulted in completion of the Conservancy-funded Paradise Creek Enhancement Plan in 2000. A legislative appropriation to the Coastal Conservancy of \$700,000 was the subject of the Conservancy's June 2001 action to approve and fund the Paradise Creek Enhancement Plan implementation.

Groundbreaking on the plan implementation has been delayed for the past four years by the discovery of contaminated soil at the project site. Now, after completing tiered soil investigations, consultations with the San Diego County Department of Environmental Health and other regulatory and resource agencies, and development of a limited soil removal and disposal plan, the City is ready to move forward with the project this coming summer. To complete the natural and interpretive project elements and help offset the additional costs associated with implementation of the county approved contaminated soil removal and disposal work plan, which includes confirmation sampling and characterization, removal of up to 3,400 cubic yards of contaminated and excess soil, and preparation and implementation of a construction health and safety plan, the City is requesting an additional grant of \$500,000 from the Conservancy. (See the "Project Financing" section below for details on other grants sought and received, as well as City in-kind and cash contributions.).

Site Description: This section remains consistent with the Conservancy's prior authorization of June 25, 2001 (See Exhibit 2.).

Project History: This section remains consistent with the Conservancy's prior authorization of June 25, 2001 (See Exhibit 2.).

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PROJECT FINANCING:

Original Construction Project Budget:

\$1,217,000

Updated Construction Project Budget:

\$1,776,000

Coastal Conservancy

Paradise Creek Enhancement Plan 50,000

Interpretive and Resource enhancement elements

June 25, 2001 authorization \$ 700,000

Proposed Prop 50 authorization 500,000

SUBTOTAL 1,250,000

City of National City

Recreational park elements

Original 300,000

New 25,000

SUBTOTAL 325,000

Other Grant Funding

County of San Diego 25,000

Community Block Grant 5,000

Enhancement Fund-Supervisor Greg Cox 5,000

SUBTOTAL 35,000

SUBTOTAL CONSERVANCY + CITY + Other Grants 1,560,000

(Not including Enhancement Plan)

Other Grant Funding Requested

Department of Water Resources (May) 350,000

Metropolitan Water District Grant (mid-June) 75,000

TOTAL 425,000

City In-Kind

City land transfer to park use 200,000

Volunteer program coordinator time 12,000

Original 5,000

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New	<u>75,000</u>
SUBTOTAL	293,000

The anticipated source of funding for the proposed June 2005 authorization is an appropriation to the Conservancy pursuant to Section 79571 (b) of the “Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002” (Division 26.5 of the Public Resources Code, Proposition 50). Section 79571 of Chapter 10 (Coastal Watershed and Wetland Protection) directs that 10% of Proposition 50 funds allocated to the Conservancy for coastal watershed protection be used “for the acquisition and development of facilities to promote public access to and participation in the conservation of land, water, and wildlife resources”. Subsection (b) identifies eligible projects as “[n]ature centers that are in or adjacent to watersheds and wetlands identified for protection... that provide viewing, outdoor experiences, and conservation education programs to the public and students...[w]ith priority to projects that are operated by or in cooperation with nonprofit organizations and are designed to serve children from urban areas that lack access to natural areas of outdoor programs.”

The source of funding for the Conservancy’s 2001 grant of \$700,000 was a specific FY 98/99 General Fund appropriation to the Conservancy for the Paradise Creek Educational Park.

The City has committed to providing in-kind services valued at \$293,000. City transfer of land for park use is valued at \$200,000. City staff time represents the balance of \$93,000.

CONSISTENCY WITH CONSERVANCY’S ENABLING LEGISLATION:

This section remains consistent with the Conservancy’s prior authorization of June 25, 2001 (See Exhibit 2.).

CONSISTENCY WITH CONSERVANCY’S STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):

The proposed project is consistent with **Public Access Goal 2, Objective D** in that the project will support a regional environmental center.

The proposed project is also consistent with **Coastal Resources Conservation Goal 6, Objectives A and B** in that the project will result in the restoration of approximately 0.07 acres of riparian wetlands in a coastal watershed and creation of 0.06 acres with resulting downstream coastal water quality benefits.

CONSISTENCY WITH CONSERVANCY’S PROJECT SELECTION CRITERIA & GUIDELINES:

Required Criteria

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1. Promotion of the Conservancy's statutory program and purposes: The proposed authorization is consistent with Chapter 6 of Division 21 of the Public Resources Code pertaining to coastal resource enhancement. The authorization will assist the Conservancy in meeting requirements under Sections 31251-31270 by facilitating the enhancement of creek associated wetland resources, as well as creation of new wetland habitat, in a stretch of Paradise Creek in close proximity to coastal waters.

2. Consistency with purposes of the funding source: The anticipated source of funding is an appropriation to the Conservancy pursuant to Section 79571 (b) of the "Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002" (Division 26.5 of the Public Resources Code, Proposition 50). Construction of an outdoor learning lab is consistent with the funding source in that Section 79571 of Chapter 10 of Proposition 50 directs that 10% of the Proposition 50 funds allocated to the Conservancy for coastal watershed protection be used "for the acquisition and development of facilities to promote public access to and participation in the conservation of land, water, and wildlife resources". The natural project elements, wetland restoration and creation with limited contaminated soil removal for associated portions of the project site, are consistent with the funding source in that Chapter 10 appropriates funds to the Conservancy to undertake projects that protect coastal watersheds, including, but not limited to, projects involving the acquisition, protection, and restoration of land and water resources and associated planning, permitting, and administrative costs.

3. Support from the public: Letters have been received from State Senator Denise Ducheny, Assemblyman Juan Vargas, Kimball Elementary School Principal Dr. Cindy Waters and Paradise Creek Educational Park, Inc. Director Ted Godshalk (Exhibit 5). The County of San Diego has lent financial support.

4. Location: While the project will be situated outside of the Coastal Zone, it will address habitat and water quality issues that impact coastal resources.

5. Need: Conservancy assistance is necessary to address the added costs of soil removal plan implementation, additional construction best management practices, and general construction cost escalation.

6. Greater-than-local interest: In addition to serving the needs of neighboring Kimball Elementary School, the project will serve as a regional conservation education center.

Additional Criteria

7. Urgency: The City needs to go to bid by the end of June in order to complete construction before winter rain, a condition of its regulatory permits.

8. Resolution of more than one issue: The project will create opportunities for conservation education while at the same time restoring degraded riparian wetland habitat and making the site safer for public use through the removal of toxic contamination.

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9. Leverage: The proposed authorization will leverage \$293,000 of City in-kind staff time and services and \$35,000 of local grant funding.

12. Readiness: The City is ready to put the project out to bid.

13. Realization of prior Conservancy goals: The proposed authorization would allow the City to complete implementation of the Paradise Creek Enhancement Plan. The Conservancy provided the City \$50,000 for plan implementation in 1999 and \$700,000 for plan implementation in 2001 through a specific legislative appropriation. At the same time the Conservancy adopted the completed enhancement plan in June 2001, it awarded the City a grant of \$700,000 for plan implementation.

CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:

This section remains consistent with the Conservancy's prior authorization of June 25, 2001 (See Exhibit 2).

COMPLIANCE WITH CEQA:

Construction of an outdoor learning lab, boardwalk and creek side trail and riparian wetland enhancement were components of the Paradise Creek Educational Park, which the Conservancy approved on June 25, 2001. (See Exhibit 2). A Notice of Determination was filed on July 9, 2001.

Although the soil removal work is part of the wetland enhancement project, the project approved by the Conservancy on June 25, 2001 did not include this project element. This new project element is exempt from CEQA under Section 15330 Minor Actions to Prevent, Minimize, Stabilize, Mitigate or Eliminate the Release of Threat of Hazardous Waste or Hazardous Substances. Class 30 applies to small or medium removal actions costing \$1 million or less. Soil removal plan implementation for the Paradise Creek park will cost up to \$500,000 depending on the results of final pre-disposal soil characterization. Section 15330 (b) exempts the following activities: excavation and/or offsite disposal of contaminated soils, application of dust suppressants to surface soils, runoff controls, and posting of notices, all of which are elements of the contaminated soil removal work plan.

Upon approval, staff will file a Notice of Exemption for this part of the project.